

**SJ 11 Working Group
Legislative Guidelines
From 9/19/05 meeting**

The Working Group will seek to draft legislation using the principles below in order to:

- 1) meet the **DRAFT** goals established during the 8/16/05 Working Group meeting; and
- 2) carry out the provisions found in the text of SJR 11.

The Working Group agreed to use the following **DRAFT** principles:

1. It is good for local governments to plan.
2. It is appropriate for the state legislature to ensure that local governments have the authority and resources to plan.
3. Planning includes growth policies and other related plans (e.g., transportation plans, park plans, sewer and water extension plans, etc.).
4. The state should provide incentives, encouragement, support, and technical assistance for local governments to plan.
5. It is appropriate for the state to provide minimum standards and definitions for growth policy planning.
6. Local Governments should implement their growth policies through land use standards and regulations, and other tools.
7. It is appropriate for the state to provide incentives for local governments to address land use impacts through zoning and disincentives not to do so.

It was also agreed that the legislature should help provide the necessary funding and education tools for local governments to be able to carry out the principles above and the resulting legislation. Funding and education provisions should be tied to the bill.

Working Group members agreed to use email to have an e-dialogue about what should be included in legislation before our next meeting on 10/31/05 from 9:30-2:30 in Helena. Emails should include specific suggestions for legislation and related actions including but not limited to what, in the opinions of the Working Group and their constituencies, would be the most effective incentives to get local governments to do "good" planning and to establish land use standards instead of relying upon site-by-site review of the (3)(a) criteria. These incentives might include legal protections for local governments that plan and use land use standards.

Tim Davis agreed to, and invited other members to join him to, brief the Local Government Subcommittee about the Working Group's work to date at the Subcommittee's meeting on 10/6/05 in Helena.

Participants included:

Jim Kembel - MARLS; Rick Gustine - MARLS; Joe Kaufman - MARLS; Steve Powell - Ravalli County; Myra Shults - MACO/JPIA; Patrick O'Herren - Ravalli County; Sharon Haugen - City of Helena; Susan Shannon - Lake County; Paddy Trusler - Lake

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Exhibit #13

County/MACO; Leanne Kurtz (observer); Tim Burton - City of Helena/League of Cities and Towns; John Horwich - UM Law School; Tammy McGill - MAP; Chris Saunders - MAP/City of Bozeman; Linda Stoll - Missoula County; Michael Kakuk - MAR/MBIA; Glen Oppel - MAR; Tim Davis - MSGC.

Participants in the 8/16/05 meeting who were not at this meeting included:

Nancy Heil - Missoula; Denise Alexander - Missoula; Byron Roberts - MBIA;